# COURT DECREE SPLITTING HARVESTER TRUST ASKED

McReynolds Demands Each Unit Have Stockholders Separate from Others.

HOLDS PRICE FIXING POWER

Attorney General Cites Figures to Show Combine Is Absolute Monopoly - Cyrus Mc-Cormick Criticised.

St. Paul, Nov. 5 .- Attorney General Mc-Reynolds, ending the arguments for disso lution of the International Harvester Company before the United States District Court this afternoon, asked that an interlocutory decree be entered by the court, declaring the Harvester concern a monopoly in restraint of trade. He requested that the defendants have a reasonable time to submit to the court a proper plan of reorganization.

It is the view of the government that this company must be cut up into sepa-rate and distinct units," the Attorney General said. "This must be done in such a way that the stockholders of the different parts must be distinct. We insist that it is an economic impossibility for companies owned by the same people to fur nish bonafide competition.'

Mr. McReynolds criticised Cyrus Mc-Cormick, whom he called the founder of the Harvester trust, because Mr. Mc Cormick did not appear in the case.

Mr. McReynolds reviewed the career of the Harvester company from its organization, ten years ago, pointing out to the court specific instances in which, he said. the law had been violated, furnishing an ample basis for an order of dissolution under the Sherman law.

"The story of this powerful monopoly marking time, or losing business here and there, as related by some of the counsel for the defence, is absurd," said the At-torney General. "Take the finances of this concern in 1903 and take them now and what have we?

"In 1903 the total business done by the International Harvester Company was \$53,000,000; in 1912 it had increased to \$125,000,000; in the same length of time its capitalization had increased from \$120,000,000 to \$163,000,000 and between 1903 and 1911, the latest figures available, the assets of this concern had increased from \$130,000,000 to \$223,000,000. Those figures, in terse form, tell the story of the rapid growth of the power of this concern. This expansion has been so enormous that the word of this corpotation has become absolute law to thousands and thousands. "The International Harvester Company

in its first year held the following percentages of the nation's business in the varied lines: 98 per cent of the binders, 95 per cent of the corn binders, 92 per cent of the mowers, 85 per cent of the rakes and 40 per cent of the twine.

show that this situation has changed in many particulars. ten years. Of course, there has been some trust cases. But the fact stands out that Empire State Express and saw the Govgreat harvesting companies of the coun- Highways. try put under one company.

'No man who looks upon that picture can fail to see that this concern has the absolute power to fix prices. Of course, there existed no desire to get 100 per cent of the business. A certain amount of competition keeps down public sentiment

and helps in other ways. John P. Wilson, in his argument for the defence, predicted a price war among harvester manufacturing concerns.

Whether this plea is granted or not." such as the world has never seen. A war published. Here they are: is now on not only in agricultural implements, but in harvester lines, which is going to be the flercest ever known.

#### JUDGE-ELECT TESTIFIES Levy Tells in Conspiracy Trial of Visits of Samuel Karp.

Judge Hunt, of the federal District Court, having ruled that there would be the government at the trial of Jacob and Samuel Karp, of Karp Brothers, for conspracy to conceal \$30,000 assets from the trustee in bankruptcy, the examination of Levy was continued yesterday by Assistant District Attorney Roger Wood.

The judge-elect stated that about January 22, 1911, he was visited at his home, No. 307 East Broadway, by Jacob Karp, who said he was anxious to find his broth er, Samuel, who had been robbed of \$10,-000 in Chicago. Levy explained that he instructed Karp to communicate with the Chicago police.

Three or four days later, Levy said, he was visited in Albany by Samuel Karp, who sought to engage him as counsel to recover the stolen money, but being too busy Levy told Karp he would have to get another lawyer. Levy said that there was no talk about the bankruptcy of the irm or concealment of assets.

"Samuel Karp told you that he had been drinking at the time he was robbed in the Chicago resort?" asked Samuel

Breslin, counsel for the defendants. "He did," replied Assemblyman Levy. "And that he was sick at the hotel next

"Excessive drinking is always followed

by a tired feeling?"

That I can safely testify to, although I have not had frequent experiences," an-

ewered the Assemblyman.

NO TRACE OF LOST WIFE

#### F. J. E. Fitzpatrick Believes She Committed Suicide.

Ip to midnight last night Frank J. E. Fitzpatrick, the banker, whose wife, Alice, disappeared from her home at No. of the woman.

Mr. Fitzpatrick fears his wife has taken tion bearing on the case. her life, as she frequently suffered from attacks of melancholia. She was discharged from a sanatorium only six weeks administered at the polls will induce ago. On more than one occasion, accord- some of the less rejuctant ones to call

STARTING NEW YORK'S REAL WATERFRONT IMPROVEMENT. Left to right-R. A. C. Smith, John Purroy Mitchel, John A. Dix, Ardolph L. Kline and Robert Adamson.



# JOHN DOE PROBE TO-DAY

Lobbyist Subpænaed to Appear in Graft Inquiry Misses Ship to Europe.

Man Hennessy Said Told of Secret Gifts to Wigwam's War Chest Called, and Hennessy Will Talk.

Magistrate McAdoo in the John Doe inestigation into the charges against ammany made by John A. Hennessy. for Europe on the Mauretania, but the steamship departed without him.

Another witness who will be on hand when the hearings are resumed at 3 o'clock this afternoon is George H. Mc-Guire, of Syracuse, the contractor who to have contributed secretly to Tammany's war chest. McGuire called on District Attorney Whitman yesterday, sworn to in his reports to the Secretary He has already intimated that he will of State by "Phil" Donohue. John K. Davis, he and "Gus" Thomas had some "And there is nothing in the evidence to not substantiate Hennessy's story in

competition. We got that story in the expected. The Suizer investigator went Tobacco cases and in numerous other to Albany yesterday morning on the we have more than 90 per cent of the ernor and the State Superintendent of

Hennessy Names "Givers."

It was at a conference in Utica that Leon Sanders, T. tractors who are said to have con- The amounts ranged from \$500 to \$50. first in the moving picture field. He re-McGuire a list of forty-three state contributed to Tammany campaign funds \$200 and \$250 being the favorite figures | minded the reporters that Mr. Thomas various amounts which were not made. In 1911 Zeller, Foster, O'Brien, Gilder. was the man who placed upon the stage various amounts which were not made

In 1911 Zeller, Foster, O'Brien, Gilder
public in the sworn statements of receipts and expenditures filed with the

O'Gorman, Herrman, O'Dwyer, M. P.

Dustin Farnum, the actor, who played Secretary of State by "Phil" Donohue, Breen, Sanders, Guy, Crain, Freschi, Barthe Tammany treasurer. The names of tow S. Weeks, P. T. Barlow, James W. these firms have been read into the John Gerard and P. H. Dugro contributed also returned from Cuba yesterday. Seven said Mr. Wilson, "there will be in the Doe record, but have never before been such amounts.

> Dutchess: American Pipe and Construc- Herrman, Gildersleeve, O'Gorman, Kertion Company, Philadelphia; Acme Engineering and Construction Company, Weeks and Freschi. In this list there Herkimer; Barber Asphalt Company, appears also the firm name of Crowell New York; Barrett Manufacturing Com- & Statler, the same firm, it is allaged. any, Boston; Bridgeport Construction as Crowell-Sherman-Statler, contractors, Company, Poughkeepeie; W. J. Burns of Cleveland, Ohio, named by Hennessy Company, Syracuse: Crewell-Sherman- as having given \$5,000 which was not Statler, Cleveland & Clyde, New York; recorded. Donohue credited them with Cassey & Murray, Rochester; Thomas \$2,500. Crimmins Company, New York; DeGraff | The total amounts which Tammany

> W. J. Dwyer, Syracuse; Empire Engineering Corporation, New York; Fort Orange Construction Company, Albany; \$3,050 in 1912. Edward M. Graves, Cleveland; Great Lakes Construction Company, Buffalo; the name of Robert Kelly Prentice T. A. Gillespie Company, New York; Richard Hopkins, Troy; H. S. Kerbaugh, man of the Republican County Commit-New York; Kinser Construction Company, Chicago; Lane Bros., Buena Vista, Va.; Lane Construction Company Meri- Prentice is credited with a contribution of den, Conn.; I. M. Ludington & Son, Rochester; Larkin & Sangster, Seneca Falls: Patrick H. Murray, Rochester Patrick H. McGovern & Co., Millard & paign. Lupton, Philadelphia.

Pittsburgh Eastern Company, Troy; S. Pearson & Son. New York; Suffelk Construction Company, Huntington, L. I.; Semper Bros., Watertown; Schunnemunk Semper Bros., Watertown, Schulmenniak Construction Company, Highland Mills, N. Y.: Scott Bros., Rome; Shanley-Mor-rissey, James Stewart & Co., New York; M. A. Talbott, Rome; Tarvia, Boston; United Engineering and Construction Company, James Walker, New Paltz; John H. Weidman, Syracuse, and War-ren Bros. Company, Boston.

Whitman Looking for All.

The amounts of the contributions which he says these firms made Mr. Hennessy has been able to specify only in a few instances. The Barber Asphalt Company, ne said, gave \$5,000; W. J. Burns Company, \$250; Crowell-Sherman-Statler, \$5,000; Guy B. Dickinson, \$250; W. J. Dwyer, \$250; Patrick H. Murray. \$1,000; James Walker, \$1,000; John H. Weidman, \$256, and Warren Bros. Company, \$5,000.

The District Attorney has process servers out all over the state seeking to serve the members of these firms with subpænas commanding them to testify concerning these alleged contributions at the John Doe inquiry. He does not intend, it is said, to let up in 200 West 28th street, Monday evening, had his hurt for evidence to corroborate woman. Although a general alarm had been sent out and all the hospitals, morgues and railroad stations searched, the police had not been able to get a trace the whole list has been exhausted, as well as every other avenue of informa-

In the mean time he rather hopes that the overwhelming defeat of Tammany ing to the banker, his wife attempted to kill herself.

At the time she disappeared Mrs. Fitzpatrick wore a dress of dark blue material, trimmed with black, a white satin shirtwaist and a small purple hat.

on him and volunteer information bearport of two private beds in the Posting of Tammany's collections. This is Graduate Hospital, will be held to-night at Terrace Garden. A special attraction him from pressing the inquiry by pointing out that his hunt for corroboration shirtwaist and a small purple hat.

at the time she disappeared Mrs. Fitzpatrick wore a dress of dark blue material, trimmed with black, a white satin shirtwaist and a small purple hat.

on him and volunteer information bearport of two private beds in the Posting of two private beds in the Support of two private beds in the Posting of two private beds in the Support of two private beds in the Posting of two pri on him and volunteer information bear-

## WORK ON BIG PIERS STARTED

#### Mayor Kline and Mayor-elect Mitchel Participated in Ceremonies.

John Purroy Mitchel and Mayor Kline

participated in the ceremonies yesterday at the beginning of the construction of the Board of Trade and the Merchants' Assonew North River 1,200-foot piers at the foot clation, Colonel William A. Black, U. S. of West 46th street. Mayor Kline pulled W. T. Rossell, the lever of a huge steam dredge which bottom of the river, and then Mr. Mitchel vited to attend, but was not present. handled the lever which swung the load away. The pler work started yesterday, dress. according to the city fathers, marks the | Mayor Kline received letters of congrat-

invited by Dock Commissioner R. A. C. sioner, Mayor Kline and Mr. Mitchel, there try must feel a deep interest.

Wood was scheduled to sail yesterday involved will admit that he has been DAVIS BACK FROM CUBA seeking favors through campaign contri

Judges Who Aided Wigwam.

In view of the charge that McCall cought his nomination for the Supreme the contracting firms which are alleged note the names of judges appearing as of what he and Augustus Thomas did Committee in 1910, 1911 and 1912, as Clark, Assistant District Attorney, read odd experiences. the lists containing these names into The commanding general, Frank E. Hennessy will be there himself, it is the John Doe record. These are the Lopez, was induced, after a long struggle, contributed in 1910:

Lorenz Zeller, Warren W. Foster. Moses Herrman. H. A. Gildersleeve. John J. Freschi, Alexander Finelite, E. J. O'Dwyer, H. D. Hotchkiss, C. I. Guy, Hennessy says he got from George H. Brits, Morgan J. O'Brien, F. K. Pendle- stunts like trained actors. ton, D. F. Cobalan and "Judge" Noonan.

\$1,000.

Ætna Engineering and Construction The judiciary contributors in 1912 Company, Herklimer; Max R. Aldrich, were: Zeller, O'Dwyer, Foster, Finelite, nechan, Elkus, Crain, Butts, O'Brien,

semblyman Aaron J. Levy testifying for according to the figures on these lists. were \$4,600 in 1910, \$4.950 in 1911 and

There also appears on this list for 1912 brother of Ezra P. Prentice, former chairtee and a member of the law committee of the Republican County Committee. Mr. \$100 to boost the fortunes of the Tiger. Mr. Prentice denied last night that he had ever contributed to a Tammany cam

# CRIME REMEDY REJECTED

Oregon Voters Defeat Bill for Sterilizing Criminals.

Portland, Ore., Nov. 5.-Returns from esterday's referendum election in this state show that all legislative enactments with the exception of the bill providing for the sterilization of habitual criminals That measure apparently was defeated. The workmen's compensation bill car ried two to one. Salem, the state capital went "dry" by so narrow a margin that

MACLEAN IS TILDEN TRUSTEE

the election probably will be contested.

Former Justice Appointed to Fill Bigelow Vacancy. Former Justice Charles F. MacLean

was appointed by Justice Newburger yes terday as one of the three trustees of the will of Samuel J. Tilden to fill the vacancy caused by the death of John Bige-The other trustees are George W. Smith

and L. V. F. Randolph. The will of Mr. Tilden provided that in case of death of one of the trustees the two surviving trustees were to select a third. Smith and Randolph were unable to

agree on the third trustee, and the matter included in these smaller sizes, was submitted to the court. Judge Mac-Lean was a personal friend of Mr. Tilden. NATIONAL UNION BALL TO-NIGHT The fourth annual entertainment and

ball of the National Union, for the sup-

#### were ex-Governor John A. Dix, Police Commissioner Waldo, the Borough Presidents of The Bronx, Richmond and Queens; Douglas Matheyson, Borough President-elect of The Bronx: T. O. Mc-Gill, secretary of the New York Harbor Commission: representatives from the Chamber of Commerce, the Maritime Association, the Product Exchange, the

Edward E. McCall, the defeated Tam-M'GUIRE ALSO TO APPEAR the lever of a nuge steam that the many candidate for Mayor, had been insioner Smith made a brief ad-

A.; Colonel S. W. Roessler and Colonel

beginning of New York's waterfront im- ulation from President Wilson and Govprovement that will place it on a par ernor Glynn on the beginning of the work with the great harbors of the world.

on the waterfront improvements. Presi-A party of well known New Yorkers, dent Wilson's message read as follows: "My thoughts turn to-day with the of a subporna can make it that Eugene Smith, made the trip up the Hudson to greatest interest to the great dredging D. Wood will testify to-day before Chief the site of the new piers on the police work about to be begun for the new piers boat Patrol. Besides the Dock Commis- -a development in which the whole coun-

Author Had Odd Experiences

in Moving Picture Field. Richard Harding Davis came back from Court from Murphy, it is interesting to Santiago last night with wondrous tales contributors to the Tammany County down in Cuba with a moving picture company that is producing Davis's play "Soldiers of

judges, present, past and would-be, who to get the garrisoned troops in Santiago to perform for the moving pictures. Gen-eral Lopez finally produced, on an order Frederic Kernochan, Abram 1 Elkus, from the Cuban Consul General, the entire Santiago garrison of troops, number ing 2,000. Although, according to Mr. Davis, troops had never before posed for

Mr. Davis said this experience was his

scenario founded on Mr. Davis's novel. Edward Swann gave thousand feet of films had been taken, Mr. Farnum said.



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material in his suits and overcoats than we. Take our new imported

overcoat fabrics, for example; CENTURY HOUSE | CENTRAL PARK or the "King George" cloth for evening suits that we alone can sell in the United States; or our exclusive line of Scotch referred to the voters were approved, cheviots and English worsteds. To say nothing of the best

products of our own country. But think of the difference between our price and that of your first-class tailor!

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Just a word about our youths' overcoats-Our smartest models are

ROGERS PEET COMPANY, Three Broadway Stores at

13th St.

32 to 35 chest.

## MURDER RECORD DROPS, BUT IT IS STILL HIGH

Rate Per 100,000 for 1912 Is 8.1. Against 8.4 for 1911. Thirty Cities Included.

N. Y. PERCENTAGE JUMPS

Increase Is 1.4-Memphis the Worst, with Advance of 11.6 -Jealousy and Highwaymen Each an 8.5 Cause.

tistics of homicides published to-day in "The Spectator." Compilations made by ten years.
Frederick L. Hoffman show that there Of special interest in the tabulations were 1.344 homicides in thirty large cities is the inclusion of a record kept by "The of this country in 1912, a rate of 8.1 per Chicago Tribune" of the causes of hom-100,000 of population.

100,000. There is a corresponding decrease in the relative number of suicides, equivper 100,000, and the lowest rates were in 1891 and 1897, when 4.2 per 100,000 was the for the same percentage.

Of the large American cities, Memphis, Tenn., with 88 homicides, shows a rate of 54.3 per 100,000, an increase over 1911 of phia there were only twenty-three hom-11.6. It is explained that suburban murders are counted in with the city per-

not show the same improvement that the average suggests. There were 198 largest number of deaths from homicide cides during the year, a rate of 6.8 in the ten years is shown by Chicago per 100,000, or an increase of 1.4. For the ten years ended in 1911 there were 1,364 eaths of a homicidal nature, with a rate of 5.4 per 100,000.

The high rate of homicide shown by Memphis is carried out when the cities are taken by geographical groups. Of the thirty cities cited those of the Southern group reported 411 homicides, The annual murder record for the United States, while showing a slight imeter than 100,000. The Eastern cities had the lowest rate, 416, or 4.6 per 100,000, while the provement over previous reports, still Western group showed 10.8 and the Censuffers by comparison, according to stateral group 8.9 per 100.000. All these rates showed an increase over the average for

Similar records for 1911 were 8.4 per 18.5 per cent of the whole number was year rate of 0.45.

were responsible for 14.1 per cent alent to 6.8 per 100,000, or 4.1 per cent.

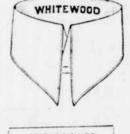
The highest homicide record reported cent of the total, while murders by highoccurred in 1907, when the rate was 8.8 waymen caused 8.5 per cent of the deaths.

To Reading. Penn., is given the distinction of having no homicides con within its limits in 1912, while in Philadelicides, a rate of 1.4 per 100,000. For the ten years ending in 1911, Hartford, Conn had the lowest number of of show the same improvement that showed the lowest rate, 1.9 per 100,600. The

with a total of 1,770. In support of its comment on the unfavorable record of this country, comparisons are made with the homicide records in foreign cities. where it is generally assumed that hu-man life is held cheaply, the rate for the latest year available, 1910, is 3.4 per 100. 000. A five year average shows a rate of 3.9. In other words, to every 100 homicides in the United States there are only

London, including only the city proper shows a five year average of 1.31 per 100. too as compared with the same average for New York of 6.0. In Paris, in 1910 a rate of 3.6 was recorded. The city of Copenhagen, Denmark, is shown as the safest European city, with a record in icides from 1968 to 1912. According to this, 1910 of only one homicide, and a five

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HARRIS

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Opera Atmosphere
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